

Message Text

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ACTION EB-08

INFO OCT-01 EUR-12 ISO-00 L-03 AID-05 CEA-01 CIAE-00
COME-00 FRB-01 INR-07 NSAE-00 SP-02 STR-04
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FM AMEMBASSY BONN
TO SECSTATE WASHDC 7059
INFO USDA/FAS WASHDC
USMISSION EC BRUSSELS

UNCLAS BONN 05760

FAS FOR FRUIT & VEG. AND TRADE POLICY DIV.

E.O. 11652: N/A
TAGS: EAGR, GW
SUBJECT: EC CUSTOMS DUTIES ON BLUEBERRIES

REF: EC BRUSSELS 3125

1. BEGIN SUMMARY: DUE TO UNCLEAR WORDING
OF EC REGULATION 1450/76, FRG CUSTOMS OFFICIALS
CLAIM THAT CERTAIN US BLUEBERRY SPECIES ARE NOT SUBJECT
TO THE TARIFF PREFERENCE RATE OF 4 PERCENT AD VALOREM.
EMBASSY IS TAKING ALL NECESSARY STEPS TO
ASSURE THAT THE NEW EC ORDINANCE - WHICH WILL BECOME
EFFECTIVE JULY 1, 1977 - CLEARLY INCLUDES US BERRIES
INTO THE TARIFF PREFERENCE RATE. EM-
BASSY HAS APPROACHED FEDMINFINANCE TO OBTAIN TARIFF
RELIEF ALSO FOR CURRENT US BLUEBERRY SHIPMENTS. END
SUMMARY.

2. FRG CUSTOMS OFFICIALS HAVE RECENTLY STARTED TO RE-
CATEGORIZE THE IMPORT OF FROZEN CULTIVATED BLUEBERRIES
AS WELL AS CERTAIN WILD SPECIES. THIS REGROUPING
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IS BASED ON THE GERMAN TARIFF DEFINITION WHICH LIMITS
THE PREFERENCED POSITION EX 0810 A TO BILBERRIES OF THE
VACCINIUM MYRTILLUS TYPE. AS A RESULT OF THIS REGROUP-
PING US CULTIVATED AND CERTAIN WILD SPECIES ARE NO
LONGER SUBJECT TO THE PREFERENCED TARIFF RATE OF 4
PERCENT - ESTABLISHED BY EC REGULATION NO 1450/76
OFFICIAL JOURNAL L 163 - AND NOW MADE SUBJECT TO THE

REGULAR 18 PERCENT AD VALOREM RATE.

3. WE HAVE CONTACTED RESPONSIBLE OFFICIALS OF THE FEDERAL MINISTRY OF FINANCE - CUSTOMS SECTION - AND THE FEDERAL MINISTRY OF AGRICULTURE REGARDING THIS DISCRIMINATION. UPON OUR REQUEST, FRG REPRESENTATIVES HAVE RAISED AND SUPPORTED OUR POSITION IN THIS MATTER AT A MEETING OF THE MANAGING COMMITTEE FOR ECONOMIC AND TARIFF PROBLEMS HELD ON MARCH 28 IN BRUSSELS.

4. UPON OUR REQUEST, THE FEDERAL MINISTRY OF AGRICULTURE HAS VERIFIED AND SUPPLEMENTED ITS ORIGINAL APPLICATION TO THE EC COMMISSION FOR A TEMPORARY DUTY REDUCTION TO ASSURE ACCESS FOR OUR BERRIES UNDER THE REDUCED RATE AFTER JULY 1, 1977. TO ASSURE UNDISPUTABLE ACCESS OF OUR BERRIES UNDER THE REDUCED RATE, EMBASSY DEVELOPED IN COOPERATION WITH FEDMINAG THE FOLLOWING DEFINITION FOR THE PREFERRED TARIFF POSITION.

EX 0810.A BILBERRIES (BLUEBERRIES) OF THE SPECIES

VACCINIUM MYRTILLUS, V.ANGUSTIFOLIUM, V.CORYMBOSUM AND OTHER VACCINIUM SPECIES OF BLUE OR DARK BLUE COLOR, WHETHER OR NOT COOKED, PRE-SERVED BY FREEZING, WITHOUT ADDED SUGAR.

EX 0810.B COWBERRIES, CRANBERRIES OF THE SPECIES VACCINIUM

VITIS IDAEA, V.MACROPARPON, V.OXYCOCCUS AND OTHER VACCINIUM SPECIES OF RED AND LIGHT RED COLOR, WHETHER OR NOT COOKED, PRE-SERVED BY FREEZING, WITHOUT ADDED SUGAR.

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THIS VERSION WILL BE PRESENTED TO THE EC COMMISSION AS PART OF THE GERMAN PROPOSAL ON MARCH 31. IT IS LIKELY THAT THIS OR A SIMILAR VERSION WILL BE ACCEPTED BY THE EC COMMISSION.

5. FEDMIN.AG. WILL FURTHERMORE OFFICIALLY APPROACH THE FEDERAL MINISTRY OF FINANCE SUPPORTING OUR REQUEST TO APPLY THE TEMPORARY DUTY REDUCTION ON THE BASIS OF EC REGULATION 1450/76 ALSO TO CURRENT IMPORTS OF US CULTIVATED BLUEBERRIES; OR AT LEAST TO TEMPORARILY SUSPEND THE COLLECTION OF DUTIES UNTIL THE COMING INTO FORCE OF THE NEW, CLEARLY WORDED, EC REGULATION ON TARIFF PREFERENCES REPLACING THE PRESENTLY APPLICABLE REGULATION 1450/76. WE HOPE TO OBTAIN A DECISION WITHIN TWO OR THREE WEEKS.

6. ACTION AGRICULTURE: PLEASE FORWARD THE SUBSTANCE OF THIS INFORMATION TO PHIL SHERIDAN, NORTH AMERICAN BLUEBERRY COUNCIL REFERENCING HIS LETTER OF MARCH 16, 1977.

STOESSEL

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